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Attorneys for Plaintiffs

9 **UNITED STATES DISTRICT COURT**
10 **EASTERN DISTRICT OF CALIFORNIA**

11 JOHN ADENA, Deceased, by and through his Co-)
12 Successors in Interest, CIRCE ADENA and)
13 RICHARD ADENA; CIRCE ADENA, Individually,)
14 and RICHARD ADENA, Individually,)

Plaintiffs,

vs.

15 SHASTA COUNTY, a public entity; SHASTA)
16 COUNTY SHERIFF-CORONER TOM BOSENKO,)
17 in his individual capacity; CAPTAIN DAVE KENT;)
18 SHASTA COUNTY JAIL DEPUTIES KIRK)
19 SCHRITTER, DEVIN HURTE, DEPUTY DIAZ,)
20 EMMANUAL ALCAZAR, ZACHARY)
21 JURKIEWICZ, JOSEPH GRADY, NATHANIAL)
22 NEVES, HECTOR CORTEZ; CALIFORNIA)
23 FORENSIC MEDICAL GROUP, INC., a California)
24 Corporation; WELLPATH MANAGEMENT, INC., a)
25 Delaware Corporation; WELLPATH LLC, a)
26 Delaware Limited Liability Company; TRACY)
27 LEWIS, L.M.F.T.; PAM JOHANSEN, L.C.S.W.;)
28 DANIEL DELLWO, P.A.; and DOES 1–20;)
individually, jointly and severally,)

Defendants.

Case No. 2:21-cv-00770-MCE-DMC

**STIPULATION AND ORDER TO
MODIFY BRIEFING SCHEDULE
RE: DEFENDANTS' MOTION
TO DISMISS THE FIRST
AMENDED COMPLAINT (Doc.
59)**

1 All parties, by and through their respective counsel of record, hereby stipulate and request
2 that this Court extend the deadlines for briefing in response to the Wellpath Defendants' Motion to
3 Dismiss Plaintiffs' First Amended Complaint (Doc. 59) – which seeks to dismiss certain claims – so
4 that Plaintiffs' Opposition brief will be due by November 29, 2023, and Defendants' Reply brief
5 will be due by December 13, 2023. On its own motion, the Court vacated the December 14, 2023,
6 hearing on the Motion to Dismiss. (Doc. 60).

7
8 Good cause exists to grant this stipulation because the availability and schedule of Plaintiffs'
9 counsel conflicts with the usual briefing schedule provided by the Local Rules for a motion to
10 dismiss under FRCP Rule 12. In particular, Plaintiffs' counsel, Michael J. Haddad, is currently out
11 of town, from November 2, 2023, through November 10, 2023. In addition, Plaintiffs' counsel,
12 Michael J. Haddad and Julia Sherwin must travel out of state for a funeral memorial during the
13 week of November 20, 2023. After meeting and conferring by email and considering the parties'
14 respective schedules and other obligations, the parties agree that Plaintiffs may file their Opposition
15 to Defendants' Motion to Dismiss by November 29, 2023 and Defendants may file their Reply by
16 December 13, 2023.

17
18 For the foregoing reasons, the parties respectfully request that this Court enter an Order
19 modifying the briefing schedule in this case as set forth above.

20
21 Dated: November 9, 2023

HADDAD & SHERWIN LLP

22
23 /s/ *Teresa Allen*

24

TERESA ALLEN
Attorneys for Plaintiffs

1 Dated: November 9, 2023

GORDON REES SCULLY MANSUKHANI

2 /s/ Lindsey Romano

3 LINDSEY ROMANO

4 Attorneys for Defendants

CALIFORNIA FORENSIC MEDICAL GROUP,
INC.; WELLPATH MANAGEMENT, INC.;

5 WELLPATH LLC; TRACY LEWIS, L.M.F.T.; PAM
6 JOHANSEN, L.C.S.W.; and DANIEL DELLWO, P.A

ORDER


Based on the parties' stipulation, and with good cause appearing therefor,

IT IS HEREBY ORDERED that the briefing schedule for the Defendants' Motion to Dismiss (Doc. 59) shall be modified as follows:

- Plaintiffs' Opposition to the Defendants' Motion to Dismiss is due November 29, 2023.
- Defendant's Reply is due December 13, 2023.

IT IS SO ORDERED.

Dated: November 13, 2023


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE